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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/533,727

05/03/2005

Maarten Walter Steinmann

FR 020115

4535

24737

7590

03/10/2008

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

RALEIGH, DONALD L

ART UNIT

PAPER NUMBER

2879

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/533,727	<b>Applicant(s)</b> STEINMANN ET AL.	
	<b>Examiner</b> Donald L. Raleigh	<b>Art Unit</b> 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/6/2006</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-2 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Dulmen et al (US Patent No. 6,764,328) in view of Ishihara (US PG Pub. 2001/0013748) and further in view of Brocheton (US Patent No. 5,932,501)

Regarding Claim 1: Van Dulmen discloses at Col.3, lines 43-46, an electric automotive signal lamp (Column 1, lines 7-9) having a glass envelope, the glass composition comprising barium between 7-11%; strontium between 1-5%; and SiO<sub>2</sub> between 60-72%.

Van Dulmen fails to disclose copper between 0.1 and 2% and tin between 0.1 and 2% by weight.

Ishihara teaches in paragraph [0004], lines 1-2, the use of a bulb for an automobile tail light. Paragraph [0006], lines 1-5 teaches that the glass of this bulb can be red in color and Cu can be one of the colorants, furthermore, paragraph [0017], lines

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4-5 lists copper oxide as one of the color developing compounds. The colored glass is used in lamps such as indicator lamps or tail/stop lamp of an automobile.

Ishihara fails to exemplify percentage of tin component and Cu colorant applied to the colored glass.

In the same field of endeavor, Brocheton discloses in Column 8, Table 1, the use of percentages of Tin ( $\text{SnO}_2$ ) of 2% and CuO of 0.5% as coloring compounds, at Column 6, lines 6-17 Brocheton teaches the use tin in the disclosed percentage along will reduce copper to its metallic form, producing a strong red coloration of the glass.

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to apply the teachings of Ishihara and Brocheton to the invention of Van Dulmen and provide the above percentages, in order to produce a red coloration of the glass bulb for use in the automobile tail light of Ishihara.

Regarding claim 2, Van Dulmen discloses the electric automobile lamp of claim 1 with glass compositions in the table below except for the percentages of CuO of 0.1-2% or  $\text{SnO}_2$  of 0.1-2%.

$\text{SiO}_2$	68-72
$\text{Al}_2\text{O}_3$	1-5
$\text{Li}_2\text{O}$	0.5-1.5
$\text{Na}_2\text{O}$	5-9
$\text{K}_2\text{O}$	3-7
$\text{MgO}$	1-2
$\text{CaO}$	1-3
$\text{SrO}$	1-5
$\text{BaO}$	7-11
$\text{CuO}$	0.1-2
$\text{SnO}_2$	0.1-2

Ishihara teaches in paragraph [0004], lines 1-2, the use of a bulb for an automobile tail light. Paragraph [0006], lines 1-5 teaches that the glass of this bulb can be red in color and Cu can be one of the colorants, furthermore, paragraph [0017], lines 4-5 lists copper oxide as one of the color developing compounds. The colored glass is used in lamps such as indicator lamps or tail/stop lamp of an automobile.

Ishihara fails to exemplify percentage of tin component and Cu colorant applied to the colored glass.

In the same field of endeavor, Brocheton discloses in Column 8, Table 1, the use of percentages of Tin ( $\text{SnO}_2$ ) of 2% and CuO of 0.5% as coloring compounds, at Column 6, lines 6-17 Brocheton teaches the use tin in the disclosed percentage along will reduce copper to its metallic form, producing a strong red coloration of the glass.

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to apply the teachings of Ishihara and Brocheton to the invention of Van Dulmen and provide the above percentages, in order to produce a red coloration of the glass bulb for use in the automobile tail light of Ishihara.

### ***Conclusion***

Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DONALD L. RALEIGH whose telephone number is (571)270-3407. The examiner can normally be reached on Monday-Friday 7:30AM to 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Donald L Raleigh/  
Examiner, Art Unit 2879

/Mariceli Santiago/  
Primary Examiner, Art Unit 2879